

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-3, 9-31, 34-45, and 51-63 are pending in this application. Claims 1-3, 9-29, 34-36, 39-44, and 51-63 have been amended, and Claims 4-8, 32, 33, and 46-50 have been canceled without prejudice or disclaimer by way of the present amendment. Independent Claims 1, 29, and 43 have been amended to include the features of dependent Claims 4-7, now canceled. Thus, no new matter has been added.

In the outstanding Office Action, Claims 43-63 were rejected under 35 U.S.C. §101 as directed to non-statutory subject matter; Claims 1-11, 13-35, 37-53, and 55-63 were rejected under 35 U.S.C. §103(a) as unpatentable over Hirai et al. (U.S. Patent Publication No. 2004/0021890, hereinafter “Hirai”) in view of Haraguchi (U.S. Patent No. 7,102,777); and Claims 12, 36, and 54 were rejected under 35 U.S.C. §103(a) as unpatentable over Hirai and Haraguchi, in view Parry et al. (U.S. Patent No. 7,542,160, hereinafter “Parry”).

As an initial matter, the Office Action indicates, on page 2, that the “Certified Foreign Priority Documents filed May 15, 2006 have been received.” However, in the Office Action Summary there is no indication of the receipt of the aforementioned documents. Specifically, box 12 of the Office Action Summary is not checked.

Accordingly, Applicants respectfully request the Office to indicate, on the Office Action Summary page, that the certified copies have indeed been received.

With regard to the rejection of Claims 43-63 under 35 U.S.C. §101, the Office notes, on page 2, that “computer software stored on transitory mediums are not included in one of the four statutory [classes].” Accordingly, Applicants have amended independent Claim 43 to recite a non-transitory computer-readable medium in order to comply with U.S. PTO formalities. The “non-transitory” language that is added is a description of the medium itself

(i.e., tangible, not a signal) as opposed to a limitation on data storage persistency (e.g., RAM vs. ROM). Thus, it is respectfully submitted that Claim 43, and claims depending therefrom, are directed to statutory subject matter. Consequently, Applicants respectfully request the rejection of Claims 43-63 under 35 U.S.C. §101 be withdrawn.

Addressing now the rejection of Claims 1-11, 13-35, 37-53, and 55-63 under 35 U.S.C. §103(a) as unpatentable over Hirai and Haraguchi, Applicants respectfully traverse this rejection.

Claim 1 recites, in part,

a communicating unit configured to communicate with an external apparatus via a communication line;

a controlling unit configured to execute an operation using an application within the external apparatus by communicating with the external apparatus by the communicating unit, the controlling unit configured to execute the operation when an operation execution request that requests execution of the operation using the application within the external apparatus is received from the external apparatus by the communicating unit;

an authenticating unit configured to carry out, using authentication information that is added to the operation execution request, an authentication process to confirm validity of the operation execution request when the communicating unit receives the operation execution request from the external apparatus, the authentication information including identification information unique to the application, and the authenticating unit confirming that the operation execution request is valid if the identification information matches identification information that is registered in advance; and

an operation execution permitting unit configured to permit execution of the operation if the authenticating unit confirms that the operation execution request is valid.

Independent Claims 29 and 43, although directed to different statutory classes, recite features similar to Claim 1. Accordingly, the following discussion with regard to Claim 1 also applies to Claims 29 and 43.

As noted above, amended Claim 1 recites features of dependent Claims 4-7, now canceled. In rejecting Claims 1 and 4-7, the Office asserts, on pages 3, 5, and 6, that Hirai

and Haraguchi describe all of the features found in Claims 1 and 4-7. Applicants respectfully traverse this assertion, as next discussed.

Hirai describes an apparatus that can send an authentication result of a user by using a calling procedure, such that the authentication result of the user can be used by various compound machines, PCs, and management servers on a network.¹ According to Hirai, user authentication is performed by comparing user inputs (i.e., userID, name, or the like) inputted via an authentication screen displayed on the operation panel of a compound machine, for example, with user information stored in a user database.²

In other words, Hirai discusses a *user* authentication process.

In contrast, Claim 1 recites carrying out, using authentication information that is added to the operation execution request, an authentication process to *confirm validity of the operation execution request*, the authentication information including *identification information unique to an application*, and *confirming that the operation execution request is valid if the identification information matches identification information that is registered* in advance.

In other words, Claim 1 authenticates the validity of an operation execution request by using identification information which is unique to an application, whereas Hirai authenticates a user.

Accordingly, since Hirai merely performs authentication of a user, Hirai does not describe, suggest, or render obvious at least an authenticating unit configured to carry out, using authentication information that is added to the operation execution request, an authentication process to confirm validity of the operation execution request when the communicating unit receives the operation execution request from the external apparatus, the authentication information including identification information unique to the application, and

¹ Hirai: paragraph [0010]

² Hirai: paragraph [0093]

the authenticating unit confirming that the operation execution request is valid if the identification information matches identification information that is registered in advance, as is required by amended Claim 1.

Additionally, Applicants respectfully submit that Haraguchi does not cure the above-identified deficiencies of Hirai.

Haraguchi describes a system in which an image processing apparatus communicates with various services, such as an image processing service, an accounting service, an advertisement service, a content service, and a maintenance service.³

However, Haraguchi does not teach or suggest at least the authenticating unit, as recited by Claim 1.

Accordingly, it is respectfully submitted that Hirai and Haraguchi, whether taken alone or in combination, do not describe, suggest, or render obvious all of the features recited in amended Claim 1.

Thus, Applicants respectfully request the rejection of Claim 1, and similarly Claims 29 and 43, and claims depending respectively therefrom, be reconsidered and withdrawn.

³ Haraguchi: Figure 2

Consequently, in view of the present amendment, and in light of the above discussion, the pending claims as presented herewith are believed to be in condition for formal allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.



James J. Kulbaski
Attorney of Record
Registration No. 34,648

Derek P. Benke
Registration No. 56,944

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 07/09)